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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/751,788	12/29/2000	Yat H. Chan	1662-32800 (P00-3347)	8778

22879 7590 03/31/2004

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EXAMINER

DU, THUAN N

ART UNIT	PAPER NUMBER
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2116

DATE MAILED: 03/31/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/751,788

Applicant(s)

CHAN ET AL.

Examiner

Thuan N. Du

Art Unit

2116

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This Office Action is in response to Amendment filed on February 4, 2004 (Paper No. 5).
2. Claims 15 and 16 are added.
3. Claims 1-16 are presented for examination.
4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

5. Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gibson et al. [Gibson] (U.S. Patent No. 6,601,167).

6. Regarding claim 1, Gibson teaches a computer system comprising:
initialization memory (sequential access memory 32) containing initialization code [col. 3, lines 30-34; col. 13, line 26];

a processor (14) coupled to said initialization memory [Fig. 1] for executing said initialization code [col. 4, lines 8-21]; and

a memory (32) coupled to said processor and used to store variables used by the processor while executing said initialization code [col. 3, lines 52-59; col. 4, lines 8-21].

Gibson does not explicitly teach the memory used to store variables used by the processor is a SRAM. However, SRAM is a volatile memory and Gibson teaches that only volatile memory is used in this purpose. Therefore, One of ordinary skill in the art would have recognized that SRAM could be used in place of the memory taught by Gibson.

Art Unit: 2116

Furthermore, Gibson does not explicitly disclose two separate memories, one for storing initialization code and the other for storing variables used by the processor. However, Gibson mentions that conventional system used a ROM for storing initialization code and used the sequential access memory for storing variables used by the processor [col. 1, line 17 et seq.]. Therefore, one of ordinary skill in the art would have readily recognized that using two separate memories (ROM and SRAM) is possible and applicable in Gibson's system.

7. Regarding claims 2 and 3, Gibson teaches that the memory is assigned addresses overlaying a portion of the addresses assigned to the initialization memory [col. 4, line 22 et seq.].

8. Regarding claims 4 and 5, Gibson teaches that the system including a DRAM (RAM 16) coupled to the processor for the processor to use when executing application code [Fig. 1].

Gibson does not explicitly specify the initialization code is for initializing said DRAM. One of ordinary skill in the art would have readily recognized that the initialization code used for initializing DRAM is part of BIOS code. Therefore, it would have been obvious to use Gibson's memory (SRAM) to load only DRAM's initialization code for initializing DRAM at system startup, then load subsequence codes into RAM for execution thereafter [col. 5, lines 58-62].

9. Regarding claims 6-16, Gibson teaches the claimed method steps. Therefore, Gibson teaches the apparatus to implement the claimed method steps.

Art Unit: 2116

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuan N. Du whose telephone number is (703) 308-6292. The examiner can normally be reached on Monday-Friday: 9:00 AM - 5:30 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas C. Lee can be reached on (703) 305-9717.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

The fax number for the organization is (703) 872-9306.



Thuan N. Du
March 26, 2004